

FILED  
CLERK OF COURT  
U.S. DISTRICT COURT  
SEP 3 2004  
FBI - 3 P 1:03  
In The United States District Court  
For The District of Massachusetts  
Worcester Division

David Wattletan  
50260-019

Petitioner,

vs

04-40182

Sally Johnson, M.D.,  
Medical Director,  
Federal Bureau of Prisons,  
Respondent.

Petition For Writ of Mandamus.

COMES NOW, the petitioner, David Wattletan, through pro se, hereby files this mandamus petition requesting that this Court should enjoin the respondent to write a letter to the United States Attorney's Office and inform them of the discrepancies in his medical records pursuant to the Bureau of Prisons (BOP) Policy Statement 5800.07. Mr Wattletan asserts that prison doctors have been made aware that the information that the district court relied upon to determine mental illness and dangerousness was false, misleading and exaggerated. However, although prison doctors have made connections to Mr Wattletan's medical records they have an obligation to write a letter to the United States Attorney's office and the government is required to address any discrepancies in the medical records and reply to Mr Wattletan in writing to settle any disputes

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In Mr Wattleton's Forensic Report prison doctors stated that a judge in Wisconsin ordered Mr Wattleton to take psychothropic medication but he violated his probation by refusing treatment and was jailed. The report also stated that Mr Wattleton's mental disorder interfered with his occupational functioning and he could not hold a job for a period longer than six months for the past few years. And, the report states that Mr Wattleton refused psychological testing during his evaluation at FMC Butner. Since these false accusations are easily provable and subsequently Mr. Wattleton's medical records have been changed to reflect the truth in these matters he believes that prison doctors are obligated pursuant to P.S. 5800.07 to write a letter to the U.S. Attorney to inform them of the changes to Mr Wattleton's medical records.

In conclusion, as Mr Wattleton has demonstrated that he has a clear and indisputable right to issuance of a writ of mandamus and there are no other adequate means available to remedy his situation he request an order from this Court enjoining the BOP to write a letter to the United States Attorney's office to inform them of the discrepancies in Mr Wattleton's medical records. The purpose of this petition is to argue that it is the government's obligation and not the committing court who should settle the matter of the discrepancies in Mr Wattleton's medical records. He further argues that he has exhausted all of his administrative remedies on this matter and he will provide the court with a copy of the response as soon as Mr Wattleton's legal documents have been returned to him by the BOP.

BP-S148.055 INMATE REQUEST TO STAFF CDFRM  
SEP 98

U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

TO: (Name and Title of Staff Member)	DATE:
FROM:	REGISTER NO.:
WORK ASSIGNMENT:	UNIT:

SUBJECT: (Briefly state your question or concern and the solution you are requesting. Continue on back, if necessary. Your failure to be specific may result in no action being taken. If necessary, you will be interviewed in order to successfully respond to your request.)

(Do not write below this line)

DISPOSITION:

Signature Staff Member	Date
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Record Copy - File; Copy - Inmate  
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This form replaces BP-148.070 dated Oct 86  
and BP-S148.070 APR 94

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